

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
FUKUDA et al.

Group/Art Unit: Not Available

Examiner: Not Available

Parent: PCT/JP01/03308

U.S. Application No: 10/018,245

U.S. Filing Date: December 18, 2001

For: NOVEL RECOMBINANT ANTIBODY, AMINO ACID SEQUENCES
OF ITS COMPLEMENTARITY DETERMINING REGIONS AND
GENES ENCODING THE SAME

* * * * *

April 11, 2002

RESPONSE AND SUBMISSION
PURSUANT TO 37 CFR 1.821-1.825

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements under 35 USC
371 issued on July 27, 2001 (copy attached hereto), mailed on February 11,
2002 and in response to the Notification to Comply with Requirements for
Patent Applications Containing Nucleotide Sequence and/or Amino Acid
Sequence Disclosures (under 37 CFR 1.821 - 1.825), please amend the
above-referenced application as follows.

IN THE SPECIFICATION:

Please cancel the 9 pages of sequence listing (pages 1/9-6/9) originally
filed with this U.S. application.

Please add the attached pages 25-29 to the Specification. Please renumber original pages 25-27 of the Specification accordingly.

REMARKS

A Notification of Missing Requirements under 35 USC 371 issued on July 27, 2001 (copy attached hereto). The Notification states that an oath or declaration of the inventors, identifying the application by the international application number and international filing date must be submitted. However, the applicants submitted a proper declaration with the application papers filed on December 18, 2001. A copy of the declaration is attached hereto with a copy of the PTO date stamped post-card filing receipt proving that the PTO received the filed declaration.

In accordance with 37 CFR 1.821(c), a "Sequence Listing" is submitted herewith, and it is respectfully requested that the Listing be entered into the application. The Sequence Listing does not include new matter. A copy of the "Sequence Listing" in computer readable form is also submitted herewith, in accordance with 37 CFR 1.821(e), and includes no new matter.

Furthermore, in accordance with 37 CFR 1.821(f), it is submitted that the contents of the paper copy and the computer readable copy of the Sequence Listing are the same.

In view of the above, it is respectfully submitted that the above-identified application complies with the Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Respectfully Submitted,

Manelli Denison & Selter, PLLC

By Paul E. White, Jr.
Paul E. White, Jr.
Reg. No. 32,011
Tel. No.: (202) 261-1050
Fax No.: (202) 887-0336

2000 M Street, N.W.
Seventh Floor
Washington, D.C. 20036-3307
(202) 261-1000

EARLY SERIAL NUMBER

ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS

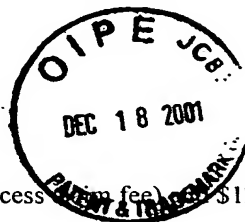
BOX: Application

Inventor-Case No.: FUKUDA et al.

Date Hand Carried: December 18, 2001

Stamp of the U.S. Patent and Trademark Office acknowledging receipt of the following is requested.

Patent Application of FUKUDA et al.
Specification, Claims and Abstract - [26] pages
Drawings - [5] sheets
Sequence Listing: [9] pages
Transmittal letter
Copy of Inventor's Declaration/Power of Attorney
PTO Checks for \$974 (\$890 appln filing fee and \$84 excess claim fee) and \$1254 (\$280 multiple dependent claim fee)
Fee Calculation Sheet
Preliminary Amendment
Information Disclosure Statement including PTO Form 1449
International Search Report
Form PCT/IB/308 and Form PCT/IB/304
Front Page of Official Gazette



Papers hand delivered to Assistant Commissioner of Patents and Trademarks

ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS

BOX: Application

Inventor-Case No.: FUKUDA et al.

Date Hand Carried: December 18, 2001

Stamp of the U.S. Patent and Trademark Office acknowledging receipt of the following is requested.

Patent Application of FUKUDA et al.
Specification, Claims and Abstract - [26] pages
Drawings - [5] sheets
Sequence Listing: [9] pages
Transmittal letter
Copy of Inventor's Declaration/Power of Attorney
PTO Checks for \$974 (\$890 appln filing fee and \$84 excess claim fee) and \$1254 (\$280 multiple dependent claim fee)
Fee Calculation Sheet
Preliminary Amendment
Information Disclosure Statement including PTO Form 1449
International Search Report
Form PCT/IB/308 and Form PCT/IB/304
Front Page of Official Gazette

10/018245

JC14 Rec'd PCT/PTO 18 DEC 2001

Papers hand delivered to Assistant Commissioner of Patents and Trademarks



UNITED STATES PATENT AND TRADEMARK OFFICE

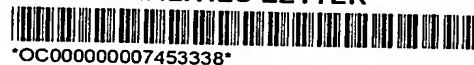
Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

| | | |
|---|--|----------------------------|
| U.S. APPLICATION NUMBER NO. 10/018,245 | FIRST NAMED APPLICANT Yoshiaki Fukuda | ATTY. DOCKET NO. 46/224 |
|---|--|----------------------------|

Manelli Denison & Selter
 2000 M Street NW
 7th Floor
 Washington, DC 20036

| | |
|---|---------------|
| INTERNATIONAL APPLICATION NO. PCT/JP01/03308 | |
| I.A. FILING DATE 04/18/2001 | PRIORITY DATE |

CONFIRMATION NO. 8337
 371 FORMALITIES LETTER



OC00000007453338

Date Mailed: 02/11/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Biochemical Sequence Listing
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the

requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/018,245 | PCT/JP01/03308 | 46/224 |